

received by the applicant for the following expenses of enrollment:

- a. tuition expenses;
- b. all other reasonable educational expenses such as fees, books, supplies, educational equipment and materials required by the school, and incurred by the applicant; or
- c. reasonable living expenses as determined by the Secretary.

2. If the applicant agrees to serve 2 or more years:

a. Except as provided in subparagraph b. of this paragraph, pay up to \$20,000 of the outstanding principal and interest of a participant's non delinquent educational loans, but not more than half of the 20 percent of the qualified outstanding educational loans for such year for each year of eligible faculty service; or

b. The Secretary's liability will not exceed a cap of \$20,000 of principal and interest annually. This would include the 10 percent waived under Sec. 738(a) of the Act for the School's proportionate share of the loan repayment amounts. The applicant must pay that portion not covered.

3. Make loan repayments for a year of obligated service no later than the end of the fiscal year in which the applicant completes such year of service.

4. The effective date of the Contract will be the date it is signed by the Director, Division of Disadvantaged Assistance or the date employment begins as a faculty member of the contracting school whichever is later.

#### Section B—Obligations of the Participant

1. The applicant agrees to:

a. Continue loan repayments to lenders for the first quarter after which the Secretary will make delayed quarterly payments to applicant for the years stated in paragraph c of this section. Applicant must pay lender(s) these payments.

b. Serve his or her period of obligated faculty service as contracted with the school and as determined by the Secretary to be acceptable.

e. Serve in accordance with paragraph b. of this section for \_\_\_\_\_ years at \_\_\_\_\_. The applicant must serve a minimum of two years.

2. If the applicant's eligibility to participate in the Faculty Loan Repayment Program is based on section 738(a)(2) of the Act (i.e. based on his or her enrollment in an accredited health professions school), he or she also agrees to:

a. Maintain full-time enrollment, (as determined by the School), in good academic standing as determined by the School, in the final year of the course of study leading to a degree in medicine, osteopathic medicine, dentistry, pharmacy, podiatric medicine, optometry, veterinary medicine, nursing, or public health, or schools offering graduate programs in clinical psychology in which the applicant is currently enrolled, until completion of such course of study;

b. Enter into a contract with an accredited school described in subsection (a) of Section 738 to serve as a "new" member of the faculty of the school for not less than 2 years according to the requirements described in subsection (a)(5) of section 738.

c. Begin service obligation as contracted.

#### Section C—Breach of Written Loan Repayment Contract

1. If the participant fails to comply with section B.1.c. of this contract or is dismissed for disciplinary reasons or voluntarily terminates the contracts, neither the Secretary nor the School is obligated to continue loan repayments as stated in Sec. A of this Contract. The participant shall be liable to the United States and the School for the amounts specified in paragraph 2 of this section.

2. If the applicant agrees to serve as a full-time faculty member for two years or more and fails to serve the 2-year minimum requirement, he or she is liable to pay monetary damages to the United States amounting to the sum of (a) the total amounts specified in Section A.2 of this contract plus (b) an "unserved obligation penalty" of \$1,000 for each month unserved as set forth in paragraph 3 of this section plus (c) any tax assistance paid plus (d) interest, penalties and administrative charges for past due payments.

3. The "Unserved Obligation Penalty" means the amount equal to the number of months of obligated service that were not completed by an individual, multiplied by \$1,000 except that in any case in which the individual fails to serve 1 year, the unserved obligated penalty shall be equal to the full period of obligated service multiplied by \$1,000.

4. If the applicant agrees to serve more than the 2-year minimum service obligation and has completed the 2-year minimum he or she will be liable for such sums paid for any months that are not a full year beyond the 2-year minimum requirement as agreed to in Section B.1.c of this contract, plus an "unserved obligation penalty" of \$1,000 for each month unserved.

5. Any amount the United States is entitled to recover shall be paid within one year of the date the Secretary determines that the applicant is in breach of this written contract. Failure to pay by the due date will incur delinquent charges provided by Federal Law. (45 CFR 30.13).

#### Section D—Cancellation, Suspension, and Waiver of Obligation

Any service or payment obligation may be canceled, suspended, or waived under certain circumstances described below: (1) In the event of death or permanent and total disability, the Secretary will cancel obligations under this contract. To receive cancellation in the event of death, the executor of the estate must submit an official death certificate to the Secretary. To receive cancellation for permanent and total disability, applicant or his/her representative must apply to the Secretary, submitting medical evidence of my condition, and the Secretary may cancel this obligation in accordance with applicable Federal statutes and regulations; (2) Upon receipt of supporting documentation the Secretary may waive or suspend service or payment obligation under this contract if the Secretary determines that: (a) meeting the terms and conditions of the contract is impossible or

would involve extreme hardship; and (b) enforcement of the obligations would be unconscionable. (3) Deferment will be granted in the event of long term illness. Supporting documentation should be sent to: Division of Disadvantaged Assistance, Room 8A-09 Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

The Secretary or his/her authorized representative must sign this contract before it becomes effective.

Applicant Name (Please Print)

Applicant Signature \*      Date

Secretary of Health and Human Services or Designee

Date

\* Before signing, be sure you have completed section B.1.c. on page 1 of this contract indicating the number of years of service you agree to perform.

[FR Doc. 95-4964 Filed 2-28-95; 8:45 am]

BILLING CODE 4160-15-P

#### National Practitioner Data Bank: Change in User Fee

The Health Resources and Services Administration (HRSA), Public Health Service (PHS), Department of Health and Human Services (DHHS), is announcing a change in the fee that is charged entities authorized to request information from the National Practitioner Data Bank (Data Bank).

The current user fee of \$6.00 for queries submitted by diskette or telecommunications network, with a \$4.00 surcharge added for queries submitted on paper, has been in effect since July 1, 1993. Those fees were announced in the **Federal Register** on June 1, 1993 (58 FR 31215). A subsequent change in the fee structure was announced in the **Federal Register** on July 14, 1994 (59 FR 35936), at which time a \$1.00 discount from the \$6.00 fee was offered for queries who would submit their queries over the telecommunications network *and* who would pay by credit card. That announcement also indicated that the fee charged for authorized queries for information concerning an individual physician, dentist, or other health care practitioner would be reviewed periodically and revised as necessary, based upon experience. Any further changes in the fee, and the effective date of the change, would be announced in the **Federal Register**.

The Data Bank is authorized by the Health Care Quality Improvement Act of 1986 (the Act), title IV of Public Law 99-660, as amended (42 U.S.C. 11101 *et seq.*). Section 427(b)(4) of the Act authorizes the establishment of fees for

the costs of processing requests for disclosure and of providing such information.

Final regulations at 45 CFR part 60 set forth the criteria and procedures for information to be reported to and disclosed by the Data Bank. Section 60.3 of these regulations should be consulted for the definition of terms used in this announcement.

A reassessment of the full operating costs related to processing requests for disclosure of Data Bank information, as required by the DHHS Appropriations Act of 1994 (title II of Pub. L. 103-112, dated October 21, 1993), as well as the comparative costs of the various methods for filing and paying for queries, has resulted in a decision to offer a further discount to users when they both query pay via the telecommunications network as well as

pay query fees by credit card, electronic funds transfer or such other electronic transfer options as may be offered in the future. The options to query and pay user fees by these means facilitate the querying process and make it less costly to both users and the Data Bank than all other available options.

Accordingly, the Department is adjusting the user fee to provide a \$2.00 discount from the basic \$6.00 fee per name per query submitted and paid via the method described above, with receipt by electronic method. This change is effective immediately.

The criteria set forth in § 60.12(b) of the regulations and allowable costs are required by the Appropriations Act of 1994 were used in determining the amount of this new fee. The criteria include such cost factors as: (1) Electronic data processing time,

equipment, materials, computer programmers and operators or other employees; and (2) preparation of reports—materials, photocopying, postage, and administrative personnel.

When a request is for information on one or more physician, dentist, or other health care practitioner, the appropriate total fee will be \$6.00 (minus a \$2.00 discount for submission and payment as described above; or, plus a \$4.00 surcharge for queries filed on paper forms) times the number of individuals about whom information is being requested. For examples, see the table below.

The fee charged will be reviewed periodically, and revised as necessary, based upon experience. Any changes in the fee, and the effective date of the change, will be announced in the **Federal Register**.

Query method	Fee per name in query, by method of payment	Examples
Paper .....	\$10.00 (irrespective of payment method) .....	10 names in query. 10×10=\$100.00.
Electronic (Diskette) .....	\$6.00 (irrespective of payment method) .....	10 names in query. 10×\$6=\$60.00.
Electronic (Telecom network) .....	\$6.00 (if not paid via credit card or other electronic means or if paper response received).	10 names in query. 10×\$6.00=\$60.00.
Electronic (Telecom network) .....	\$4.00 (if paid electronically via credit card or other electronic means and response received electronically).	10 names in query. 10×\$4=\$40.00.

Dated: February 23, 1995.

**Ciro V. Symaya,**  
Administrator.

[FR Doc. 95-4963 Filed 2-28-95; 8:45 am]

BILLING CODE 4160-15-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Assistant Secretary of Health

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### National Nutrition Monitoring Advisory Council: Notice of Meeting

**SUMMARY:** The National Nutrition Monitoring Advisory Council will hold its sixth meeting on March 15 from 9 a.m. to 5 p.m. e.s.t., and March 16 from 9 a.m. to 1 p.m. e.s.t., at the Hotel Sofitel, 1914 Connecticut Avenue N.W., Washington, D.C. 20009. The meeting will be open to the public.

**FOR FURTHER INFORMATION CONTACT:** Linda Meyers, HHS Co-Executive Secretary to the Council, U.S. Department of Health and Human Services, Office of the Assistant Secretary for Health, Office of Disease Prevention and Health Promotion, Room 2132, Switzer Building, 330 C Street

S.W., Washington, D.C. 20201, (202) 205-9007; or Debra Reed, USDA Co-Executive Secretary to the Council, U.S. Department of Agriculture, Agricultural Research Service, Building 005, Room 215, BARC West, Beltsville, Maryland 20705, (301) 504-6964.

**SUPPLEMENTARY INFORMATION:** The responsibilities of the National Nutrition Monitoring Advisory Council are to evaluate the scientific and technical quality of the Ten-Year Comprehensive Plan for the National Nutrition Monitoring and Related Research Program and the effectiveness of the coordinated program and to provide guidance to the Secretaries of USDA and HHS. This Council is also required by Public Law 101-445 to prepare annual reports to the Secretaries of USDA and HHS that include recommendations for strengthening the Program.

The Council is chaired by Shiriki K. Kumanyika, Pennsylvania State College of Medicine, Hershey Pennsylvania. Other members are Cutberto Garza, Cornell University, Ithaca, New York; Sue Greig, Manhattan, Kansas; Suzanne Harris, International Life Sciences Institute, Washington, D.C.; Shirley J. Humphrey, Department of Education, Cheyenne, Wyoming; Sheryl Lee, Arizona Department of Health Services,

Phoenix, Arizona; Kailash Mathur, South Carolina State University, Orangeburg, South Carolina; Suzanne P. Murphy, University of California, Berkeley, California; and Lynn Parker, Food Research and Action Center, Washington, D.C.

The Council meeting agenda will include updates on progress on the Ten-Year Comprehensive Plan for the National Nutrition Monitoring and Related Research Program, on data release and future plans for the Program's cornerstone surveys—the HHS National Health and Nutrition Examination Surveys and the USDA Continuing Survey of Food Intakes by Individuals, and on related ongoing nutrition monitoring projects.

The public may file statements with the Council before or after the meeting by addressing them to either of the contact persons listed above. Please call Linda Meyers (202/205-9007) by March 5 if you will require a sign language interpreter.

Done at Washington, D.C. this 22d day of February, 1995.

**James A. Harrell,**

Acting Director, Office of Disease Prevention and Health Promotion, U.S. Department of Health and Human Services.

[FR Doc. 95-4930 Filed 2-28-95; 8:45 am]

BILLING CODE 4150-04-M